



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,572	02/04/2004	Daniel Ebi	09307.0019	3718

21127 7590 12/15/2008  
RISSMAN JOBSE HENDRICKS & OLIVERIO, LLP  
100 Cambridge Street  
Suite 2101  
BOSTON, MA 02114

EXAMINER
----------

LEWIS, RALPH A

ART UNIT	PAPER NUMBER
----------	--------------

3732

MAIL DATE	DELIVERY MODE
-----------	---------------

12/15/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## **Advisory Attachment**

### **Examiner Comments**

The After-Final Amendment of 11/20/2008 overcomes the rejection based on Porter et al as applied in the Final of 8/20/2008, however, claim 1 (at least) is still relatively broad in the increasingly crowded art of dental implants and appears anticipated by other references.

For example, Harding et al (US 5,538,426) disclose an extension piece for a dental implant 24 having a head part 11 (Fig 3) and a threaded stem 12 (Fig 5)(claim 1 doesn't even specify how the threaded stem is related to the head part). The head part is substantially cylindrical and had a reference form defined a semicylindrical outer surface (note flattened surface 18 and the partial cylindrical surface (Figs 3 and 4), gripping surfaces 22, a 90 degree diagonal cut reference surface immediately above element 22 and a bevel immediately above the reference numeral 21 in Fig 3 that is "between" the semicylindrical outer surface and the 90 degree diagonal cut reference surface. Claim 1 (at least) is broad in failing to specifically locate and orient the identified structures with respect to one another.

Additionally, attention is directed to Harding (US 6,488,501) element 40 in Figures 8-19. The element 40 receives a threaded stem and bevel 43 is between the semicylindrical surface 46, 47, 48, and the bottom edge of the member 40 which may be considered a diagonally cut reference surface.

Art Unit: 3732

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication should be directed to **Ralph Lewis** at telephone number **(571) 272-4712**. Fax (571) 273-8300. The examiner works a compressed work schedule and is unavailable every other Friday. The examiner's supervisor, Cris Rodriguez, can be reached at (571) 272-4964.

R.Lewis  
December 10, 2008

/Ralph A. Lewis/

Primary Examiner, Art Unit 3732